

VIA EMAIL: [SGWP@water.ca.gov](mailto:SGWP@water.ca.gov)

June 19, 2017

Heather Shannon  
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Department of Water Resources  
Sacramento, CA 94326-0001

**Subject: Comments on Proposal Solicitation Package for Groundwater Sustainability Plans and Projects - Draft, May 2017 (PSP)**

Dear Ms. Shannon:

The Association of California Water Agencies (ACWA) appreciates this opportunity to provide comments on the Proposal Solicitation Package for Groundwater Sustainability Plans and Projects - Draft, May 2017 (PSP). ACWA represents over 430 public water agencies which are responsible for delivery of over 90% of the water that serves residential, commercial and agricultural needs throughout California. Many ACWA member agencies are “local agencies” which are or will be members of the Groundwater Sustainability Agencies (GSAs) that will be responsible for preparing and implementing Groundwater Sustainability Plans (GSPs) pursuant to the Sustainable Groundwater Management Act (SGMA).

ACWA generally supports the draft PSP, but we have a number of recommendations for clarifications that will help eliminate possible ambiguities and help GSAs focus their applications for possible Proposition 1 funding to assist with preparation of their GSPs.

These recommendations are as follows:

**1. Clarify Eligibility Requirements**

- a) **Eligible Project Types** – We recommend the scope of Category 1 projects be clarified to remove water supply and other implementation projects from eligibility for Category 1 funding. These projects, including groundwater production wells, wellhead treatment, and connection to an alternative supply, have significant funding available from other programs, and are more appropriately funded from these sources.
- b) **Eligible Costs and Payment** – The PSP on page 7 is unclear why the May 18, 2016 date was selected for the purpose of identifying cost share activities. We recommend that January 1, 2015, the date the SGMA law went into effect, be used for the eligibility of cost share to include costs already incurred towards GSA coordination and GSP preparation as well.
- c) **GSAs in Probationary Basins** – DWR should consider allowing for the eligibility of GSAs in probationary basins since a basin may become probationary because of a small

unmanaged area, while a GSA or GSAs are in the process of preparing a GSP. The administrative processes for the State Water Resources Control Board to consider and impose probationary status will not likely conclude before DWR makes a funding its funding decisions and probationary status will not preclude the need for GSAs to prepare GSPs in any case.

## **2. Eliminate Requirement To Demonstrate “Financial Need”**

The PSP unnecessarily goes beyond the requirements of SGMA statute and regulations as well as Proposition 1 by requiring a demonstration of “financial need” (Attachment 3) and for identifying how the applicant would complete proposed work, “absent SGWP funding.” Proposition 1 did not identify any consideration for financial need as a qualifying criterion for this funding. Funding for SDACs and waiver of coast share for DACs are intended to address the question of financial need.

## **3. Clarify Requirement to Document GSA Collaboration**

The PSP on page 15, Attachment 3, should be revised to clarify the requirement to document that a “basin-wide governance structure is under development,” which seems to anticipate the SGMA requirement for coordination agreements among multiple GSAs within a basin. Coordination agreements which document basin-wide governance structures need not be fully developed at the time of a proposal. Instead DWR should require only documentation that the proposal provides evidence that GSAs have agreed to work collaboratively on one or more GSPs that will cover the entire basin.

## **4. Clarify The Meaning of “Project” Vs. “Proposal” For Category 2**

The PSP on page 15, Attachment 3, is unclear on the definition of “project” as used in Category 2. The language of the PSP implies in some places that a completed GSP is a “project,” whereas in others it implies that individual work elements like monitoring wells, a groundwater model, etc. are separate “projects.” Staff indicated at a public meeting on June 12, 2017 that the intent was for development of a GSP to be the “project.” The PSP should be redrafted to clearly represent this intent.

Thank you for this opportunity to comment. I am available to discuss these comments at [daveb@acwa.com](mailto:daveb@acwa.com) or (916) 441-4545.

Sincerely,



David Bolland  
Director of State Regulatory Relations